



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,779	11/29/2001	Hideki Isohata	122.1477	1716

21171 7590 02/23/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

QUARTERMAN, KEVIN J

ART UNIT	PAPER NUMBER
----------	--------------

2879

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	09/995,779	ISOHATA ET AL.	
	Examiner	Art Unit	
	Kevin Quarterman	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 25 October 2004 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 3-6 and 11-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicant has amended claims 3, 5, 11, 13, 15, 21, 23, and 25 adding a limitation that the recesses/holes are isolated. The term "isolated" is nowhere mentioned in the original disclosure and the drawings do not clearly show what is meant by the term.

4. Thus, the Examiner notes that the addition of the term "isolated" in the claims raises the issue of new matter, since it was not described in the specification in such a

way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Due to their dependency upon the above cited amended claims, claims 4, 6, 12, 14, 16-20, 22, 24, and 26 are also rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Independent claim 1 cites "said main frame comprising plural small holes provided where said adhesive tapes are fixed" in the last line of the claim. The location of the plural small holes is unclear, since it is unclear as to where the adhesive tapes are fixed. In the remarks filed 25 October 2004, applicant argued that the lower surface of the main frame of Isohata does not contact the adhesive tapes. The Examiner notes that independent claim 1 cites the plasma display apparatus having "adhesive tapes to fix said plasma display panel to said main frame." There is no requirement of the adhesive tapes contacting the mainframe, which makes it is unclear as to where the adhesive tapes are fixed. Thus, since it is unclear as to where the adhesive tapes are fixed, the location of the plural small holes in the main frame is also unclear.

Independent claim 13 is similar. Due to their dependency upon independent claims 1 and 13, claims 2-12 and 14-22 are also deemed indefinite.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Isohata (US 6288489).

10. The applied reference has a common inventor with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

11. Regarding independent claim 1, Figure 4 of Isohata shows a plasma display apparatus comprising a plasma display panel (10), circuit substrates (11, 12) having drive circuits (13) to drive the plasma display panel, a main frame (17) to mount the circuit substrates, and adhesive tapes (Figs. 5A-C, Element 1a-c) to fix the plasma display panel to the main frame, wherein the main frame comprises plural small holes (7) provided where the adhesive tapes are fixed.

Art Unit: 2879

12. Regarding claim 2, Figure 6A of Isohata shows the plural small holes arranged regularly at established intervals.
13. Regarding claim 3, Figure 7A of Isohata shows the main frame comprising plural small isolated recesses on the portion, to which the adhesive tapes are fixed, of the surface to which the adhesive tapes are fixed.
14. Regarding claim 4, Figure 6A of Isohata shows the plural small recesses arranged regularly at established intervals.
15. Regarding claim 5, Figure 6A of Isohata shows the main frame comprising plural small isolated recesses provided on the surface opposite to the one to which the adhesive tapes are fixed.
16. Regarding claim 6, Figure 6A of Isohata shows the plural small recesses, provided on the surface opposite to one to which the adhesive tapes are fixed, arranged regularly at established intervals.
17. Regarding claim 7, Figure 6A of Isohata also shows the main frame comprising plural small projections on the surface opposite to one to which the adhesive tapes are fixed.
18. Regarding claim 8, Figure 6A of Isohata shows the plural small projections arranged regularly at established intervals.
19. Regarding claim 9, Figure 5B-C of Isohata shows the adhesive tapes comprising plural small holes (area between adjacent adhesive strips).
20. Regarding claim 10, Figure 6A of Isohata shows the plural small holes arranged at established intervals.

21. Regarding claim 11, Figure 5 of Isohata also shows the adhesive tapes comprising plural small isolated recesses on the surface in contact with the plasma display panel.
22. Regarding claim 12, Figure 5 of Isohata shows the plural small recesses on the adhesive tapes arranged regularly at established intervals.
23. Regarding independent claim 13, which is basically a combination of independent claim 1 and claim 3, Isohata discloses like limitations of independent claim 1 and claim 3, as discussed earlier.
24. Regarding claim 14, Figure 6A of Isohata shows the plural small recesses arranged regularly at established intervals.
25. Regarding claim 15, Figure 6A of Isohata shows the main frame comprising plural small isolated recesses provided on the surface opposite to the one to which the adhesive tapes are fixed.
26. Regarding claim 16, Figure 6A of Isohata shows the plural small recesses, provided on the surface opposite to one to which the adhesive tapes are fixed, arranged regularly at established intervals.
27. Regarding claim 17, Figure 6A of Isohata shows the main frame comprising plural small projections on the surface opposite to one to which the adhesive tapes are fixed.
28. Regarding claim 18, Figure 6A of Isohata shows the plural small projections arranged regularly at established intervals.

29. Regarding claim 19, Figure 6A of Isohata shows the adhesive tapes comprising plural small holes (6).
30. Regarding claim 20, Figure 6A of Isohata shows the plural small holes arranged at established intervals.
31. Regarding claim 21, Figure 5 of Isohata also shows the adhesive tapes comprising plural small isolated recesses on the surface in contact with the plasma display panel.
32. Regarding claim 22, Figure 5 of Isohata shows the plural small recesses on the adhesive tapes arranged regularly at established intervals.
33. Regarding independent claim 23, which is basically a combination of independent claim 1 and claim 9, Isohata discloses like limitations of independent claim 1 and claim 9, as discussed earlier.
34. Regarding claim 24, Figure 6A of Isohata shows the plural small holes arranged at established intervals.
35. Regarding independent claim 25, which is basically a combination of independent claim 1 and claim 11, Isohata discloses like limitations of independent claim 1 and claim 11, as discussed earlier.
36. Regarding claim 26, Figure 5 of Isohata shows the plural small recesses on the adhesive tapes arranged regularly at established intervals.

Response to Arguments

37. Applicant's arguments filed 25 October 2004 have been fully considered and addressed in the Advisory Action mailed 19 November 2004.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (571) 272-2461. The examiner can normally be reached on M-TH (7-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Quarterman
Examiner
Art Unit 2879

kq 
17 February 2005


Joseph Williams
Primary Examiner
Art Unit 2879